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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
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12 BRUCE WAYNE MILLER,) Case No. C 13-3638 PSG (PR)
13 Plaintiff,) **ORDER OF DISMISSAL**
14 v.)
15 THE SUPERIOR COURT, et al.,)
16 Defendants.)
17 _____)

18 On July 26, 2013, plaintiff, proceeding *pro se*, filed in the Eastern District of California a
19 civil rights complaint, pursuant to 42 U.S.C. § 1983. That same day, plaintiff also filed an
20 incomplete application to proceed in forma pauperis (“IFP”). On August 5, 2013, the Eastern
21 District of California transferred this action to the Northern District of California. The following
22 day, the Clerk notified plaintiff that he had not paid the filing fee, nor had he filed a complete
23 application to proceed IFP. Along with the deficiency notice, plaintiff was provided with an IFP
24 application and instructions for completing it. Plaintiff was further cautioned that his failure to
25 file a complete IFP application, or pay the filing fee within twenty-eight days would result in the
26 dismissal of this action. On August 26, 2013, plaintiff consented to proceeding before a
27 magistrate judge. However, to date, plaintiff has not paid his filing fee, nor has he filed a
28 complete IFP application.

Case No. C 13-3638 PSG (PR)
ORDER OF DISMISSAL

1 Accordingly, the instant action is DISMISSED without prejudice. The Clerk shall
2 terminate all pending motions, enter judgment, and close the file.

3 IT IS SO ORDERED.

4 DATED: September 26, 2013


5 PAUL S. GREWAL
6 United States Magistrate Judge
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